

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:21-cr-00070-MR-WCM-12**

THIS MATTER is before the Court on the Defendant's "Motion for Order to Schedule Specific Payments While Incarcerated" [Doc. 834].

In her motion, the Defendant asks the Court to modify the restitution payments that she is required by the Bureau of Prisons to make through the Inmate Financial Responsibility Program (IFRP). [Doc. 834].

The Bureau of Prisons has the authority to place the Defendant in the IFRP based on the wording contained in the Criminal Judgment. See United States v. Watkins, 161 F. App'x 337, 337 (4th Cir. 2006); Bramson v. Winn, 136 F. App'x 380, 381 (1st Cir. 2005). Before seeking relief from any court regarding obligations under the IFRP, a defendant must exhaust all administrative remedies through the Bureau of Prisons. McGhee v. Clark,

166 F.3d 884, 887 (7th Cir. 1999). Once all administrative remedies have been exhausted, a defendant may challenge such payments only by filing the appropriate pleading in the district court located in the district of confinement, not the sentencing court. See Moore v. Olson, 368 F.3d 757, 759 (7th Cir. 2004); Matheny v. Morrison, 307 F.3d 709, 711-12 (8th Cir. 2002).

IT IS, THEREFORE, ORDERED that the Defendant's Motion [Doc. 834] is **DENIED**.

Signed: November 6, 2023

IT IS SO ORDERED.



Martin Reidinger
Chief United States District Judge

